

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 04-cr-30055-MAP
)
KACEY JONES,)
Defendant.)

**THE GOVERNMENT'S OPPOSITION TO THE DEFENDANT'S REQUEST FOR
DISCOVERY (DKT. # 44)**

The government respectfully requests this Court to deny the defendant's motion to obtain potentially discoverable materials well in advance of the schedule set forth in either the Local Rules of Discovery or the Federal Rules of Evidence. The government has effectively complied with the defendant's request by providing the substance of the potential witness's statements concerning the defendant's possession of the firearm recovered in the above-captioned case. The government willingly provided these statements before it was obligated to do so. The government has not agreed, however, to provide internal reports concerning this interview more than two months prior to trial, as this case is scheduled for trial on July 10, 2006. This material will be disclosed in a timely manner if it is in fact discoverable as Jencks Material.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Paul Hart Smyth

Paul Hart Smyth
Assistant U.S. Attorney